

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

PETER PAUL ROMANOWSKI,	:	
	:	CIVIL ACTION NO. 3:16-1547
Plaintiff	:	
	:	(MANNION, D.J.)
v.	:	(MEHALCHICK, M.J.)
	:	
NANCY A. BERRYHILL,	:	
Acting Commissioner of the	:	
Social Security Administration.	:	
	:	
Defendant	:	

MEMORANDUM

Pending before the court is the report of Judge Karoline Mehalchick, which recommends that the final decision of the Commissioner denying the plaintiff's claim for disability benefits be vacated and that the case be remanded to the Commissioner for further proceedings pursuant to [42 U.S.C. §405\(g\)](#). (Doc. 19). The Commissioner has waived the opportunity to file objections to Judge Mehalchick's report. (Doc. 20). The plaintiff has not filed any objections to Judge Mehalchick's report, and the time within which he was permitted to do so has expired.

Where no objection is made to a report and recommendation, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." [Fed.R.Civ.P. 72\(b\)](#), advisory committee notes; see *also*

Univac Dental Co. v. Dentsply Int'l, Inc., 702 F. Supp. 2d 465, 469 (2010) (citing Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that judges should give some review to every Report and Recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept, or modify in whole or in part the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1); Local Rule 72.31.

The court has reviewed the reasons presented by Judge Mehalchick for recommending that this case be remanded to the Commissioner to fully develop the record, conduct a new administrative hearing, and properly evaluate the evidence. Because the court agrees with the sound reasoning that led Judge Mehalchick to the conclusions in her report and finds no clear error on the face of the record, the court will adopt the report in its entirety. An appropriate order shall follow.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: September 28, 2017